IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

MFA.No. 3 of 1996(F)

OPARB.50/1993 of SUB COURT,KATTAPPANA
.....

APPELLANT/RESPONDENT:

C.C.VARGHESE,S/O.CHACKO,
AGED ABOUT 47 YEARS, NEDUMPARA ESTATE,
PARATHODU KARA, PARATHODU VILLAGE,
UDUMBANCHOLA TALUK.

BY ADV. SRI.GEORGE CHERIAN

RESPONDENT/PETITIONER:

JOSEPH ABRAHAM,S/O.JOSEPH,
AGED 47 YEARS, MAPPILASSERIL HOUSE,
NEDUMPARA ESTATE, PARATHODU KARA,
PARATHODU VILLAGE, UDUMBANCHOLA TALUK.

BY

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.F.A.3/1996

ORDER ON C.M.P.NO.13/1996 IN M.F.A.3/1996

DISMISSED.

6.6.2007

SD/- J.B.KOSHY, JUDGE

SD/- K.P.BALACHANDRAN, JUDGE

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO.3 OF 1996 (F)

Dated this the 6th day of June, 2007

J U D G M E N T

KOSHY,J.

This M.F.A. is filed in 1996 challenging the order of the Sub Court, Kattappana, passing a decree in terms of the arbitration award and refusing to set aside the award. Notice to the sole respondent was not served so far. I.A.No.422/2005 was filed to declare the service of notice to the respondent. But that was not accepted and on 9.2.2002 this Court directed to issue fresh notice but notice was not yet issued and process was not paid and defects were not cured. Hence this appeal is dismissed for non-prosecution.

J.B.KOSHY, JUDGE

K.P.BALACHANDRAN, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.F.A.NO.3 OF 1996 (F)

J U D G M E N T

6th June, 2007